



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
25 FUNSTON ROAD
KANSAS CITY, KANSAS 66115

Site:	Rose, Martha
ID#:	MOD980633069
Break:	2-1
Other:	1-13-87

January 13, 1987

MEMORANDUM

SUBJECT: Continuation of Removal Activities at the Martha Rose Chemical Site, Holden, Missouri

FROM: John C. Wicklund
Director, ENSV

TO: Morris Kay
Regional Administrator

Issue

Emergency removal actions at the Martha Rose Chemical site, Holden, Missouri, cannot be continued unless an exemption from the 6-month time limit set forth in section 104(c) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) for this site is granted. The time limit for this site will expire on January 21, 1987.

Background

Section 104(c) of CERCLA limits federal emergency response to six months in duration unless three criteria are met: (1) continued response actions are immediately required to mitigate an emergency; (2) there is an immediate risk to public health or welfare or the environment; and (3) such assistance will not otherwise be provided on a timely basis.

Discussion

On July 21, 1986, you approved \$28,500 for a removal action at this site. The purpose of this action was to provide temporary security guard service until the responsible parties could be assembled to take charge of the facility. On September 29, 1986, the Action Memo was amended and approved for a total removal funding of \$90,943. The Action Memo was amended so PCB-contaminated material which had been removed from the site by the former site operators could be returned to the Holden facility.

These actions were taken due to the extensive PCB contamination of the facility which was primarily engaged in the brokerage of PCBs and PCB items, processing PCB capacitors and transformers and the decontamination of mineral oil dielectric fluids contaminated with PCBs.



40026320
SUPERFUND RECORDS

A time-limit exemption must be granted in order for removal work to be continued at this site. Martha Rose Chemical meets the prescribed criteria for a 6-month time limit exemption because:

1. Continued response actions are immediately required to mitigate an emergency.

Removal actions initiated to date have not been completed. Sample results indicate future actions need to be taken at the Huhn property (northeast of Holden) and, pending Regional Counsel and/or health determination, further action may be necessary at the Buxton property, Dwight Thomas property and the Holden facility proper.

2. There is an immediate risk to public health or welfare or the environment.

The removal was undertaken at this site due to the toxic effects of PCBs on humans, suspected human carcinogen and persistence of PCBs in the environment. The former operators of the facility have removed PCB-contaminated items from the facility and have not properly handled the items or even acknowledged them as PCB contaminated. Due to this unwillingness by the operators to respond and the threat of PCB-contaminated items to enter the work place or commerce, future action is warranted.

3. Such assistance will not otherwise be provided on a timely basis.

This is an EPA lead site. The state has indicated that they are not prepared to assume responsibility and have requested EPA to take the necessary steps to mitigate the immediate hazard. The generators are reluctant to pursue clean-up activities caused by an active third party (Carolan Group). Efforts to obtain cleanup by this group have not been successful to date and a settlement is not likely in the near future.

Recommendation

I recommend that in order to continue pending mitigation actions on this site you approve an exemption for the Martha Rose site from the 6-month limit in order to allow continued actions. You may indicate your approval or disapproval by signing below.

Approve: _____

Date: 1-20-87

Disapprove: _____

Date: _____

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GH:hb:1:13:87

FIRE

FIRE

EP & R

ENSV

GKH

Redm
1/13/87

Hensley
1/13/87

[Signature]
1/14/87

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